
UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF TEXAS

UNITED STATES OF AMERICA

§

versus

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CASE NO. 4:15-CR-155 (6)

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JUAN PABLO REVELO SALCEDO

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MEMORANDUM AND ORDER

Pending before the court is Defendant Juan Pablo Revelo Salcedo's ("Defendant") Motion for Appointment of Counsel (#507), wherein Defendant requests that the court appoint counsel to assist him in filing a motion for relief under 18 U.S.C. § 3582. He asserts that he is a layperson, unskilled in the protocol of law and as such does not possess the skills with which to effectively litigate the issues. There is no constitutional right to appointed counsel in post-conviction proceedings. *Pennsylvania v. Finley*, 481 U.S. 551, 555 (1987) ("The right to appointed counsel extends to the first appeal of right, and no further."); *see Garza v. Idaho*, ___ U.S. ___, 139 S. Ct. 738, 749 (2019); *Whitaker v. Collier*, 862 F.3d 490, 501 (5th Cir. 2017), *cert. denied*, 138 S. Ct. 1172 (2018). Defendant is not entitled to the appointment of counsel to assist him with seeking a sentence reduction under 18 U.S.C. § 3582. *See Finley*, 481 U.S. at 555; *United States v. Whitebird*, 55 F.3d 1007, 1010-11 (5th Cir. 1995) (declining to recognize constitutional or statutory right to assistance of counsel in bringing § 3582(c)(2) motion for sentence reduction); *United States v. Vasquez*, No. CR 2:18-1282-S-1, 2020 WL 3000709, at *3 (S.D. Tex. June 2, 2020) ("There is no right to counsel in § 3582 or other post-appellate criminal proceedings.").

Defendant provides no basis to suggest that the appointment of counsel would help him obtain relief under § 3582. Moreover, the court denied his motion requesting compassionate release because Defendant did not establish that any extraordinary and compelling reasons exist

to warrant relief. Thus, the court finds that the discretionary appointment of counsel is not warranted. *See* 18 U.S.C. § 3006A(a)(2) (allowing appointment of counsel under certain circumstances when “the court determines that the interests of justice so require”). Accordingly, Defendant’s Motion for Appointment of Counsel (#507) is DENIED.

SIGNED at Beaumont, Texas, this 13th day of July, 2020.

A handwritten signature in cursive script, reading "Marcia A. Crone", is positioned above a horizontal line.

MARCIA A. CRONE
UNITED STATES DISTRICT JUDGE